

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT W. FORD, JR.,

Plaintiff,

v.

CASE NUMBER: 04-73225

HONORABLE VICTORIA A. ROBERTS

MAG. JUDGE WALLACE CAPEL

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On May 2, 2005 Magistrate Judge Capel issued a Report and Recommendation [Doc. 12], recommending that Defendant's Motion to Dismiss [Doc. #8] be GRANTED. Neither party has filed objections within the ten day period pursuant to Fed.R.Civ.P 72(b) and 28 U.S.C. § 636(b)(1). Thus, the Court adopts the Report and Recommendation. Defendant's Motion to Dismiss is **GRANTED**.

**IT IS SO ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: June 13, 2005

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on June 13, 2005.

s/Linda Vertriest

Deputy Clerk